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B.D.  
10-7-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David W. Runton et al.)  
Serial No.: 09/393,525 ) Ex: LEE  
Filed: 10 September 1999 ) Art Unit: 2644  
For: METHOD AND APPARATUS )  
FOR THE DISTRIBUTION )  
AND ENHANCEMENT OF )  
DIGITAL COMPRESSED AUDIO)

RESPONSE TO ELECTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
MAIL STOP NON-FEE AMENDMENT

Dear Sir:

This is in response to the Office Action, mailed 8 August 2003, in the above identified case. A shortened statutory period for response has been set for one month, up to and including 8 September 2003.

Claims 1 through 43 were presented for examination. Said claims now stand subject to restriction.

In response thereto, Applicant, through his undersigned attorney, sets forth the following remarks.

### The Requirement for Restriction

Restriction has been required to one of the following inventions:

- I. Group I, claims 1-37, drawn to an apparatus and a method for adding harmonic distortion and warmth to a decompressed digital audio signal, classified in Class 700, subclass 94.
- II. Group II, claims 38-42, drawn to a method of providing a specific type of software containing instruction for adding harmonic distortion and warmth to a decompressed digital audio signal, classified in Class 705, subclass 50.

### The Election

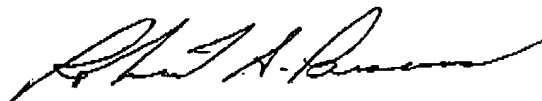
For purposes of immediate examination, Applicant hereby elects the following invention:

- I. Group I, claims 1-37, drawn to an apparatus and a method for adding harmonic distortion and warmth to a decompressed digital audio signal, classified in Class 700, subclass 94.

This election is made without right of traverse and without prejudice to the subsequent filing of a continuing or divisional application directed to the non-elected invention.

Should there be any questions or remaining issues regarding the foregoing, Examiner is cordially invited to telephone the undersigned attorney for a speedy resolution.

Respectfully requested,



Robert A. Parsons  
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08 September 2003  
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